

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

AIRGAS, INC.

Plaintiff,

CIVIL ACTION NO: 10-612 (ECR)

vs.

CRAVATH, SWAINE & MOORE LLP

Defendant.

**JOINT STIPULATION TO AMEND COMPLAINT**

IT IS HEREBY STIPULATED AND AGREED, by and between Airgas, Inc. ("Airgas") and Cravath, Swaine & Moore LLP ("Cravath"), that Airgas may file an Amended Complaint substantially in the form attached hereto. Cravath consents to the amendment pursuant to Fed.R.Civ.P. 15(a)(2). Cravath's consent shall not constitute waiver of any defenses Cravath may raise or of any rights Cravath may have to answer or otherwise respond to the Amended Complaint.

Respectfully submitted,

CONRAD O'BRIEN, P.C.

By: /s/ Robert N. Feltoon  
Nancy J. Gellman, Esquire  
John A. Guernsey, Esquire  
Robert N. Feltoon, Esquire  
Nicholas M. Centrella, Esquire  
1515 Market Street, 16<sup>th</sup> Floor  
Philadelphia, PA 19102

*Counsel for Defendant, Cravath, Swaine &  
Moore LLP*

COZEN O'CONNOR

By: /s/ Jeffrey G. Weil  
Stephen A. Cozen, Esquire  
Jeffrey G. Weil, Esquire  
Thomas G. Wilkinson, Jr., Esquire  
1900 Market Street  
Philadelphia, PA 19103  
215-665-2000

*Counsel for Plaintiff, Airgas, Inc.*

*Approved 12/3/10*

*AC...Ames*

*12/3/10*

~~Approved and So Ordered this~~ ~~day of December, 2010:~~

~~Eduardo C. Robreno, J.~~